

REMARKS

The above amendment amends the specification to update references to related U.S. patent applications. No new matter is added.

Claims 1-9 were pending in the above-identified application when last examined and are amended as indicated above. The claim amendments clarify the claim language and are not intended to limit the scope of the claims, unless the claim language is expressly quoted in the following remarks to distinguish over the art cited.

Claims 1 and 3-8 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,981,945 (Spaeth). Applicants respectfully traverse the rejection.

Independent claim 1 as amended distinguishes over Spaeth at least by reciting, "an alignment post that is glued to the cap and aligned with the path of the optical signal." Spaeth fails to disclose or suggest an alignment post glued to a cap that includes an optical element. For example, Figs. 1-5 of Spaeth show a transducer 11 having a lens system 8 (Fig. 1 or 2) but lacking any alignment post. In accordance with an aspect of the current invention, an alignment post can be glued to a cap of a device package and subsequently used to simplify the assembly of an optical subassembly in which an optical device is aligned with an optical fiber. Spaeth fails to suggest the use of an alignment post as now claimed in claim 1. Accordingly, independent claim 1 and claims 3-8, which depend from claim 1, are patentable over Spaeth.

Applicants therefore request reconsideration and withdrawal of this rejection under 35 U.S.C. § 102.

Claims 1 and 3 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 6,274,890 (Oshio). Applicants respectfully traverse the rejection.

Independent claim 1 distinguishes over Oshio at least by reciting, "an alignment post that is glued to the cap and aligned with the path of the optical signal." Oshio fails to disclose or suggest use of an alignment post. Claim 1 and claim 3, which depends from claim 1, are thus patentable over Oshio, and Applicants request reconsideration and withdrawal of this rejection under 35 U.S.C. § 102.

Claims 1-3 and 9 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 5,835,514 (Yuen). Applicants respectfully traverse the rejection.

Independent claim 1 distinguishes over Yuen at least by reciting, "an alignment post that is glued to the cap and aligned with the path of the optical signal." Yuen fails to disclose or suggest gluing an alignment post to a cap.

Fig. 4C of Yuen illustrates light source 500 including a package 501 having a nose portion 502 and a body portion 504. The Examiner identifies nose portion 502 as corresponding to a post, such as the alignment post now recited in claim 1. However, nose portion 502 is part of a continuous structure that also includes body portion 504, and Yuen fails to disclose gluing an alignment post to a cap.

In accordance with one aspect of Applicants' invention, an alignment post can be glued to a cap at a location corresponding to the specific path of an optical signal in a specific package. The position of the alignment post is thus flexible to permit an accurate alignment. In contrast, Yuen discloses a coupler having a fixed nose portion that holds an optical fiber, and Yuen fails to suggest the flexibility permitted with a glued alignment post. Accordingly, claim 1 is patentable over Yuen.

Claims 2, 3, and 9 depend from claim 1 and are patentable over Yuen for at least the same reasons that claim 1 is patentable over Yuen.

For the above reasons, Applicants request reconsideration and withdrawal of this rejection under 35 U.S.C. § 102.

Claims 16-26 are added. New claims 16 and 17 depend from claim 1 and are patentable for at least the same reasons that claim 1 is patentable. New independent claim 18 is patentable at least for reciting, "an alignment post glued to an exterior surface of the cap and aligned with the path of the optical signal." New claims 19-26 depend from claim 18 and are patentable for at least the same reasons that claim 18 is patentable.


In summary, claims 1-9 were pending in the application. This response amends claims 1 and 9 and adds claims 16-26. For the above reasons, Applicants respectfully request allowance of the application including claims 1-9 and 16-26.

THE PATENT LAW OFFICES
OF DAVID MILLERS
6560 ASHFIELD COURT
SAN JOSE, CA 95120
PH: (408) 927-6700
FX: (408) 927-6701

EXPRESS MAIL LABEL NO:

ED 614 111 691 US

Respectfully submitted,



David Millers
Reg. No. 37,396